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FILED

(1) 931542 MAR 25 1994

No. OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1993

FRANK J. CAMOSCIO, ET AL.,

PETITIONER,

v.

RICHARD J. HALL,

RESPONDENT.

ON WRIT OF CERTIORARI TO THE

SUPREME COURT OF MASSACHUSETTS

PETITION FOR WRIT OF CERTIORARI

FRANK J. CAMOSCIO
252 HANOVER STREET
BOSTON, MASSACHUSETTS 02113
(617) 720-2849
COUNSEL OF RECORD

ATTORNEY FOR PETITIONER
PRO SE

82 pp

QUESTIONS PRESENTED

A. Did the Lower Court err by failing to notify Frank J. Camoscio the Petitioner that property was being disposed of in which he had an interest ?

B. Did the Court lack Jurisdiction to divide the assets and sell the property ?

C. Can Judgment stand if it is based on Fraud and Deceit with Attorney Client Privilege Broken ?

PARTIES TO THE CASE

FRANCES M. HALL,

Petitioner,

v.

RICHARD J. HALL,

Respondent.

and

FRANK J. CAMOSCIO,

Petitioner,

v.

RICHARD J. HALL,

Respondent.

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PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE COMMONWEALTH OF MASSACHUSETTS

The Petitioner, Frank J. Camoscio, respectfully prays that the Writ of Certiorari issue to review the judgment and opinion of the Supreme Judicial Court for the Commonwealth of Massachusetts entered in the above cause on December 27, 1993.

OPINION BELOW

The Supreme Judicial Court of Massachusetts denied the Petitioner the right to file for Further Appellate Review complying with previous order that all matters to be heard by that Court be acted upon only if the majority of justices vote to accept filing. See Appendix A.

The Appeals Court came down with their decision on December 13, 1993. See Appendix B.

The Appeals Court denied the Petitioner his Motion for Rehearing on December 29, 1993. See Appendix C.

JURISDICTION

The Petitioner envokes the Jurisdiction of this Court under 62 Stat. 928, 28 U.S.C. § 1254. The Petitioner also cites Rule 13 of the Rules of the Supreme Court stating that the Petition must be filed within 90 days of the last decision, which was December 29, 1993. See Appendix C.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Petitioner invokes the jurisdiction of this Court to correct the lower court decisions and reverse judgments under the First and Fourteenth Amendments of the United States Constitution.

The Petitioner cites the First Amendment.

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceable to assemble, and to petition the government for a redress of grievances."

The Petitioner cites the Fourteenth Amendment, Section 1.

"Sect. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

STATEMENT OF THE FACTS

The Petitioner states that this case arose out of a divorce proceeding between Richard J. Hall and Frances M. Hall. The court had ordered the Halls to sell their maritial home. Petitioner, Frank J. Camoscio entered into a purchase and sale agreement with Mr. and Mrs. Hall represented by attorney Carolyn St. Pierre. Attorney St. Pierre also represented Frances M. Hall in her divorce proceedings. During the court proceedings on April 23, 1986 in Brockton Probate Court, attorney St. Pierre approached her client and told her that she would be going to trial in May for Bank Embezzlement in the Federal Court. This was the first indication Mrs. Hall had that her attorney was arrested and indicted for Bank Embezzlement. St Pierre also

told Mrs. Hall to speak to Dr. Frank J. Camoscio and tell him to give her a letter to present to Justice Tauro in the United States District Court stating that due to ill health she could not appear at her up coming trial. When I learned about her conversation with Mrs. Hall I notified the U.S. District Court and Justice Tauro and discharged St. Pierre as my attorney. On April 29, 1986 Frances Hall was to appear at Plymouth Probate Court with her attorney St. Pierre. On April 29, 1986 St. Pierre without notification wrote to Frances Hall stating she could not appear at this hearing due to abscessed teeth and also left a Motion to withdraw herself as counsel for Frances Hall. She wanted Frances to sign this form. See in Appendix this letter with Withdrawal Motion. Subsequently St.

Pierre attempted and made good her extortion scheme. See letter to Judge Tauro. Also letter of Complaint against Dr. Frank J. Camoscio and his associate Dr. Paul R. Yocas. See attached copy in Appendix. Also see letter of withdrawal dated May 30, 1986 to Board of Registration in Podiatry. See attached copy in Appendix. At this time attorney St. Pierre moved in and lived with Frances Hall's husband and helped defend him against Frances Hall. She never returned any of her divorce papers and never returned any of my legal papers. Please see attached letter to her attorney Mr. Cullen. Subsequently St. Pierre pleaded guilty in Federal Court on Bank Embezzlement charges and was found guilty. See attached copy of conviction from United States District Court.

A trial took place in Boston Municipal Court in front of Justice Theodore A. Glynn, Jr. on the original purchase and sale agreement and St. Pierre and Richard Hall were found guilty of tampering and altering this document and were charged with doing so. The Court Ordered the monies returned but to date they still defy the Court Order.

Justice Glynn instructed Dr. Camoscio to file a Complaint in Equity for Fraud and Deceit in Superior Court to retain ownership of the property and enforce original Purchase and Sales Agreement. This case is sitting in front of Judge Barbara Rouse in Suffolk Superior Court for Trial but she refuses to act and place case on Trial list.

Meanwhile Richard Hall obtained

favorable divorce decrees by stealing Frances Hall's mail from the Pembroke post office. He withheld Court Notices of Hearings from his wife who was confined to bed. After receiving an Order of Conveyance based on a claim that Frances Hall abandoned the Marital Home Richard Hall again became physically violant forcing his wife to leave the home. Earlier Court records show a continued pattern of physical abuse with little Court intervention. Now Carolyn St. Pierre moves in with Richard Hall and legally they own all the marital assets contained within the home under this Court Order.

Frank Camoscio obtained a Restraining Order in November of 1987 from Plymouth Superior Court and a copy was given in hand to Judge Lawton as Ordered by Judge George Sullivan not to sell the Marital Home

and divide the assets because of the altering of the purchase and sale agreement by Richard Hall and Carolyn St. Pierre.

Judge Lawton sold the property breaking this Court Order never notifying either Frank Camoscio or Frances Hall.

When proofs were given to Judge Lawton that Richard Hall and attorney William Flynn representing Richard Hall had committed Fraud and Deceit upon Probate Court Judge Lawton Ordered a trial in Superior Court to hear the issue of Equity. Judge O'Brien in Superior Court dismissed the case because jurisdiction is in Probate Court.

Frank Camoscio and Frances Hall addressed these wrong-doings in Motions to Probate Court. Judge Lawton refused to correct the multiple Constitutional Violations in Probate Court concerning

the taking of property without notification and allowing Court Orders to stand when Frances Hall was never notified because Richard Hall stole the mail.

Presently Richard Hall is married to Carolyn St. Pierre who is now known as Caroline Hall.

The Appeals Court decision fails to address the Constitution for the multiple times it was broken by Judge Lawton in the lower Court proceedings.

REASONS FOR GRANTING THE WRIT

A. THE LOWER COURT ERRED BY ALLOWING FRANK J. CAMOSCIO TO BE STRIPPED OF PROPERTY WITHOUT EVER BEING NOTIFIED.

The record proves that Judge Lawton was given a Court Order in Hand as Ordered by Judge George Sullivan not to sell the property in question and to distribute the assets. Judge Lawton knew that Petitioner Camoscio had an interest in the property yet he defied the Superior Court Order of Judge George Sullivan sold the house and distributed the marital assets. This violated the Petitioner's Constitutional Right of Due Process. The lower Court never corrected this violation. The Petitioner cites the following cases:

U.S. v. Smith, D.C. Iowa, 249 F. Supp. 515, 516, "Fundamental requisite of "due process" is the opportunity to be heard, to be aware that a matter is pending, to make an informed choice whether to acquiesce or contest, and to assert before the appropriate decision-making body the reasons for such choice." and Donahue v. Rhode Island Dept. of Mental Health, Retardation and Hospitals By and Through Romeo, 632 F. Supp. 1456. "Due process dictates that one who has been, or is in jeopardy of being, deprived of constitutionally sacrosanct interest must be given opportunity to be heard at "meaningful" time and in "meaningful" manner. U.S.C.A. Const. Amend. 14. --"

B. THE COURT LACKED JURISDICTION TO DIVIDE THE ASSETS. JUDGMENT MUST BE SET ASIDE AND CORRECTED

Judge Lawton divided the assets on November 20, 1987 contrary to temporary injunction dated November 13, 1987. The judge acted in clear violation of jurisdiction. Case must be remanded and reheard. A judge does not act contrary to law unless he has a pecuniary interest in the case. See Appendix, pages 17 and 19. The Appellant cites the following cases: Schorie v. City of Greenhills, D.C. Ohio 1981, 524 F. Supp. 821. "When judge knows he lacks jurisdiction, or acts in face of clearly balanced statutes or case law expressly depriving him of jurisdiction, judicial immunity is lost." and Bradford

Audio Corp. v. Pious, C.A.N.Y. 1968, 392 F. 2d 67. "Due process implies impartial court, which is not provided if judge has direct, personal and substantial pecuniary interest in case."

C. THE LOWER COURT ERRED BY NOT SETTING ASIDE JUDGMENTS AND COURT ORDERS WHEN BASED ON FRAUD AND DECEIT WITH BROKEN ATTORNEY CLIENT PRIVILEGE.

Due Process demands that Judgment be based on the truth. The lower Court was made aware of the multiple wrong-doings in this case. Boston Municipal Court proved a purchase and sale agreement was altered. The fact that Judge Lawton distributed the assets and allowed the sale of the property after being handed a Restraining Order preventing said Sale proves that Judge Lawton was prejudiced against Camoscio and violated his Due Process. The fact he never notified him proves his intent to deliberately violate Camoscio's Constitutional Rights.

Camoscio asked the lower Court to set aside all Orders and Judgments by Judge Lawton because of his unconstitutional acts. He also made the lower Court aware that his attorney Carolyn St. Pierre had altered the purchase and Sale Agreement with Richard Hall as proved by Judge Glynn's Decision. He made the Court aware that Richard Hall married Carolyn St. Pierre who was also Frances Hall's Divorce attorney. He made the Court aware that Carolyn St. Pierre co-habitated with Richard Hall prior to the divorce being final.

This violated Attorney-Client Privilege. The Petitioner cites the following case: In re O'Connell (1899) 53 N.E. 1001, 174 Mass. 253; Cowley v. O'Connell (1899) 54 N.E. 558, 174 Mass. 253, "5. Grounds or causes for removal or suspension.

Under P.S. 1882, c. 159, § 39, proof that attorney appeared for both plaintiff and defendant in actions involving same issue or that he used legal process in abusive and oppressive manner warrants disbarment.

CONCLUSION

The Petitioner demonstrated that his Constitutional Rights of Due Process and Redress were violated in this case. He demonstrated that he had entered into a purchase and sale agreement with the Halls' to purchase the property. Judge Glynn found the purchase and sale agreement was altered by Richard Hall, Carolyn St. Pierre, and attorney William Flynn, Jr.. Since Carolyn St. Pierre was the Petitioner's attorney the Attorney-Client Privilege was broken.

Judge Lawton sold the property and divided the assets in clear violation of Superior Court Judge George Sullivan's Court Order. Forget everything and the Court cannot get around the fact that he never notified the

Petitioner Frank J. Camoscio about this who he knew had a property interest in this property. This act violated the First and Fourteenth Amendment of the U.S. Constitution.

The lower Court erred by not setting aside Judgment and ordering all judgments in the case be set aside and reheard by an impartial Judge.

I hereby certify that all of the above statements are true and are made under the pains and penalties of perjury.

Respectfully submitted,

Frank J. Camoscio

Frank J. Camoscio
Pro Se
Counsel of Record
for Petitioner

252 Hanover Street
Boston, Massachusetts 02113
(617) 720-2849

Attorney for Petitioner

Suffolk, SS.

Dated: March 22, 1994

Pamela M Fogarty
Notary Public
My commission expires
March 7, 1997

ffolk, SS -

SUPREME JUDICIAL COURT

FOR THE COMMONWEALTH

ROOM 1412 COURT HOUSE

BOSTON, MASSACHUSETTS 02108

(617) 557-1020

STATE SEAL

SUSAN MELLEN

JEAN M. KENNETT ASSISTANT CLERK

CLERK L. HOLLIEY WHITE

ASSISTANT CLERK PRO TEM

December 27, 1993

Mr. Frank J. Camoscio
252 Hanover Street
Boston, Massachusetts 02113

Dear Mr. Camoscio:

The Court has refused permission for filing your Petition for Further Appellate Review. Justice Abrams did not participate in the Court's consid-

eration of your request.

Very truly yours,

Clerk

Enclosure

Signed by: Jean M. Kennett.

COMMONWEALTH OF MASSACHUSETTS

APPEALS COURT

93-P-469

RICHARD J. HALL

vs.

FRANCES M. HALL.

MEMORANDUM AND ORDER UNDER RULE 1:28

On February 20, 1992, Frank J. Camoscio, acting pro se, filed a motion to correct fraud upon the court in a Probate Court divorce proceeding between Richard J. Hall and Frances M. Hall. (S.A. 14) Camoscio was a stranger to the divorce proceedings, although he claimed an interest in the court's disposition of the marital home ("the property").[1] On February 28, 1992, John E. Conway and Patricia

A. Conway, who apparently had purchased the property and had obtained leave to intervene in the Probate Court proceedings in October, 1991 (Docket No. 70), moved to strike Camoscio's motion on the ground, inter alia, that Camoscio was not a party to the proceedings. (S.A. 19) The Conways' motion was allowed (S.A. 20), and Camoscio filed a motion for

---

[1] Camoscio has claimed in a series of actions that Richard Hall reneged on a purchase and sale agreement that would have allowed Camoscio to purchase the property. Nothing in the appellate record of the present case confirms Camoscio's insinuation of any wrongdoing or impropriety or supports his claim of an interest in the property.

reconsideration (S.A. 21), which was denied.[2] Camoscio has appealed from the denial of his motion for reconsideration.

1. Since Camoscio had no standing as a party in the divorce action, his attempt to insert himself into the proceedings should be treated as a motion to intervene as a matter of right, Mass. R. Civ. P. 24(a)(2), 365 Mass. 769 (1974), or, alternatively, permissively, Mass.R.Civ.P. 24(b)(2), 365 Mass. 770 (1974). The Probate Court's allowance of the Conways' motion to strike Camoscio's motion effectively denied Camoscio the right to intervene and was immediately appealable. Attorney Gen. v. Brockton Agric. Soc., 390 Mass. 431, 433 (1983). Massachusetts Fedn. of Teachers, AFT, AFL-CIO v. School Comm. of Chelsea, 409 Mass. 203, 204 (1991).

2. A trial judge is given broad discretion in deciding whether to allow an application for intervention as a matter of right, Carlson v. Withers, 16 Mass. App. Ct. 924, 925 (1983); Cosby v. Department of Soc. Servs., 32 Mass. App. Ct. 392, 395 n.8 (1992), or by permission. Corcoran v. Wigglesworth Mach. Co., 389 Mass. 1002, 1003 (1983). Coggins v. New Eng. Patriots Football Club, Inc., 397 Mass. 525, 538 (1986). Were the denial of Camoscio's intervention properly raised, we would affirm the order of the trial court in this case. Camoscio's

---

[2] We are indebted to appellee-interveners for providing us with copies of relevant court records.

"motion to correct fraud upon the court" seeks to nullify sales of the marital property, declare Camoscio the rightful owner of the property, and award damages from Richard Hall. (S.A. 17) However, Camoscio's "arguments" on appeal contain no record references for assertions of fact, see Mass.R.A.P. 16(e), as amended, 378 Mass. 940 (1979), and fail to address the question of why Camoscio should be allowed to intervene at this late stage in the proceeding. [3] The Appeals Court "need not pass upon questions or issues not argued in the brief." Mass.R.A.P. 16(a)(4), as amended, 367 Mass. 921 (1975). Furthermore, "[t]he burden is on the appellant in the first instance to furnish a record that supports his claim on appeal. Errors that are not disclosed by the record afford no basis for reversal." Arch Med.

Assocs., Inc. v. Bartlett Health Enterprises, Inc., 32 Mass. App. Ct. 404, 406 (1992) (citation omitted). A pro se litigant is held to the same standard. Mmoe v. Commonwealth, 393 Mass. 617, 620 (1985). The record on appeal is devoid of support for Camoscio's claims.

3. Our review of the court's denial of Camoscio's intervention is somewhat cursory because the present

---

[3] His allegations of prior involvement with the Probate Court are not supported by the record on appeal, and, in any event, where dates are provided, the events complained of occurred years before he sought intervention in 1992. (Br. 2, 3, 5, 10, 11, 15) More recent events concerning Frances Hall have no obvious bearing on the matter.

appeal is taken only from the court's denial of Camoscio's motion for reconsideration. (S.A. 24) Such an appeal, "unaccompanied by an appeal from the . . . [order] to which the motion relates," fails to address the propriety of the underlying order. See Blackburn v. Blackburn, 22 Mass. App. Ct. 633, 635 n.2 (1986). As for the motion for reconsideration itself, since the appellant has failed to argue that the court's denial of the motion was improper, we need not pass upon that issue. Mass.R.A.P. 16(a)(4).

Order affirmed.

By the Court (Brown, Smith, & Greenberg, JJ.),

Clerk

Entered: December 13, 1993.

Signed by: Clerk, Nancy Turck Foley.

COMMONWEALTH OF MASSACHUSETTS

APPEALS COURT

93-P-469

RICHARD J. HALL

vs.

FRANCES M. HALL.

ORDER

The petition for rehearing filed by the appellant having been considered, it is ordered that the said petition be and it hereby is denied.

By the Court (Brown, Smith & Greenberg, JJ.),

Assistant Clerk

Entered: December 29, 1993.

Signed by: Assistant Clerk,
Gilbert P. Lima, Jr..

April 29, 1987

Frances -- I have included all the Material you will need for Wednesday -- and most of the other Material as well.

I have not had the time nor the good health to make copies of everything as I've been very sick with the abcess. In addition; I have two broken roots embedded in my gums (from previous extraction) and the lymph nodes in my neck were swollen and very sore -- I had to go to the hospital Sunday night, and to the dentist Monday & Tuesday (2½ hrs. of treatment).

Best of luck with your case, I know you are well enough to handle it. Youve' come a long way and I see only progress from now on. I would recommend looking into taking a job at Pembroke Hospital; I mentioned it before and you rejected it I know, but it

would give you some money to prepare you for the real good job you want. (There is nothing like the sound of coins in your own pocket !). I feel it might take more time than you can afford before you see the position you seek and in this way you could walk there -- have medical coverage -- and a pay check to boot. Why don't you try it for 2 nights a week -- It will also give you routine, a chance to meet people and access to a telephone ! --

Give me a call when you get out of Court -- I'll be resting at home. My head is still throbbing. If you need any help or advice -- I'm still available --

All my best ---- Carolyn.

P.S. My case was postponed for 2 wks -- and also -- photocopy my Withdrawal of

Appearance -- Copy place closed when I got there. Sign my name.

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

PROBATE COURT
DOCKET NO.

FRANCES M. HALL
V
RICHARD J. HALL

WITHRAWAL OF APPEARANCE

Please withdraw my appearance as attorney for the Plaintiff, Frances M. Hall. so she may go forward Pro Se, in all proceedings related to the libel for Divorce.

Sincerely yours

Carolyn Murphy St. Pierre
Belmead-Bellevue Ave.
Newport, R.I. (401) 841-5256

Signed by: Not signed.

Justice Joseph Tauro
United States Federal Court
Boston, Massachusetts.

RE: Carolyn M. St. Pierre

My former attorney Ms. Carolyn M. St. Pierre informed me in the middle of April this year that if I did not help her with her pending case in the federal court she would create a problem for me and the New England Foot Clinics.

She was very specific as to the type of problem she would create. She had been treated for a toe infection at the clinic by my associate Dr. Paul R. Yocas and she said that she would say he had not treated her and that she was given a prescription signed by Dr. Yocas for a tooth infection rather than as a part of her treatment for her toe infection.

Ms St. Pierre has carried out this very threat and Dr. Yocas must appear in front of a formal adjudicatory hearing for the charges she has filed against him.

I feel that this is blatant extortion and you should be made aware of this matter.

I intend to bring charges against Ms. St. Pierre for this attempted extortion. She has caused serious damage to the New England Foot Clinics and has put Dr. Yocas professional standing in serious jeopardy.

Ms. St. Pierre also talked with another of her client's Mrs. Frances M. Hall and told Mrs. Hall that she would cause me grievous harm if I did not help her. She asked Mrs. Hall to interceed on her behalf with me. See affidavit by Mrs. Hall sent to you last week.

Ms. St. Pierre and her attorney Mr. Albert Cullen have not answered my written request to return all my records and documents to me. Knowing that it is vital that they be returned immediately, so I can file my appendix & brief in federal court, which is due the 28th of this month.

I hereby certify that the above statements are true and signed under the pains and penalties of perjury.

Dr. Frank J. Camoscio
252 Hanover Street
Boston, Massachusetts 02113

Dated: May 19, 1986

Signed by: Dr. Frank J. Camoscio

May 30, 1986

Mr. Edward J. Smith,
Investigator
Division of Registration
100 Cambridge Street
Boston, Ma. 02202

Dear Mr. Smith

I hereby submit my withdrawal of the complaint I filed on May 9, 1986, in which I identified both Dr. Yocas and Dr. Frank J. Camoscio.

I also withdraw all pronouncements made in that complaint. Hereto sworn to under pains and penalties of perjury.

_____

Carolyn M. St. Pierre
Belmead-Bellevue Ave.
Newport, R.I. 02840
(401) 841-5256

_____

Witness

Signed by: Carolyn M. St. Pierre.

Witness signed by: Kevin P. Shaw.

May 13, 1986

Dear Mr. Cullen:

I want all the papers regarding the property at 30 Elm Street, Pembroke, Mass. 02359.

That would consist of the purchase and sale agreement for said property.

Bank copy of the papers were given to a Mr. Ken Williams of the Provident Institute for Savings By Ms. Carolyn M. St. Pierre.

There were two checks one in the amount of $1000.00 and the other in the amount of $500.00 also given to Ms. Carolyn M. St. Pierre.

Thanking you in advance for your many courtesies.

Frank J. Camoscio
252 Hanover Street
Boston, Ma. 02113
Tel: (617) 720-2849

Signed by Frank J. Camoscio

Dr. Frank J. Camoscio
252 Hanover Street
Boston, Ma. 02113
Tel: (617) 720-2849

May 13, 1986

Dear Mr. Cullen:

As per our telephone conversation this morning 5/13/86, requesting my papers from your client Ms. Carolyn Murphy St. Pierre Esq., I have enclosed a list of the materials given to Ms. St. Pierre.

1. Ms. St. Pierre never filed my brief and appendix to the United States District Court of Appeals, First Circuit Court. This brief was to have been in the court by the end of May, 1986. She has the only copy of this brief and appendix.

2. O'Brien and Levine transcripts of hearings

3. SJC 83-925

Brief by Appellant on Appeal from decision of the single justice.

4. SJC 3700

Response prior to single justice decision

5. SJC 3700

Appendix

6. SJC 3700

Brief

7. Affidavits

Carrie Irene Smith

Mildred Buonato

Helen Meserve

8. File on Neil Lynch SJC Associate Justice

9. SJC 84-123

Response in Support of Pleading

10. Copies of transcribed tapes issued to Dr. Camoscio by the Board of Hearing Officers

11. Material on Habeaus Corpus

12. SJC 3700

Petition for Rehearing

13. SJC 3700

Memorandum for Trial

14. Letters to Justice Liacos

15. Letters from Governor Dukakis to Dr. Camoscio

16. Motion to Chief Justice Zoll on Dr. Connolly and Mr. Walsh District Attorney

17. SJC 3700

Response to a single Justice

18. SJC 3700

Arguments

19. Copy of letter of June 28, 1982

Case No. 49-13

20. Copies of all motions 56398 Suffolk Superior

21. Judge Ronan's Decision

22. All papers on the Fleming and the Goodman matters

23. Ms. St. Pierre told me on

April 23, 1986 while we were in the Brockton court that if I didn't help her she would screw me on all my cases. She said she would go to the board of Podiatry and say I treated her for her toe infection not Dr. Yocas.

24. Ms. St. Pierre claimed she filed a motion with the United States District Court of Appeals, First Circuit Court, Judge A. David Mazzone Case no. 85-3460 MA, this was never filed and I had to go to the court myself with a motion to recall mandate and reinstate the appeal.

25. Ms. St. Pierre borrowed a portable radio and I wish it back.

Thanking you in advance for your many courtesies.

_____

Dr. Frank J. Camoscio

Signed by: Dr. Frank J. Camoscio.

United States of America vs.

DEFENDANT

CAROLYN MURPHY ST. PIERRE
Belmead, Unit 1
Belleview Avenue
Newport, Rhode Island,
02840

United States District Court for

DISTRICT OF MASSACHUSETTS

DOCKET NO. 85-249-T

JUDGMENT AND PROBATION/
COMMITMENT ORDER AO-245 19/821

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH	DAY	YEAR
May	20,	1986

WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the \defendant thereupon waived assistance of counsel

[xx] WITH COUNSEL

[Albert E. Cullen, Jr.]
(Name of Counsel)

PLEA

[xx] GUILTY, and the court being satisfied that there is a factual basis for the plea,

[ ] NOLO CONTENDERE,

[ ] NOT GUILTY.

There being a finding/

FINDING & JUDGMENT

verdict of

[ ] NOT GUILTY. Defendant is discharged

[xx] GUILTY.

Defendant has been convicted as charged of the offense(s) of

EMBEZZLEMENT BY BANK EMPLOYEE, IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 656

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or

appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

SENTENCE OR PROBATION ORDER

ONE (1) YEAR SUSPENDED; TWO (2) YEARS PROBATION

SPECIAL CONDITIONS OF PROBATION

$50 MANDATORY ASSESSMENT

ADDITIONAL CONDITIONS

In addition to the special conditions of probation imposed above, it is hereby ordered that

OF PROBATION

the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

[xx] U.S. District Judge

[ ] U.S. Magistrate

Date May 20, 1986

29

SIGNED BY: J. TAURO

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.)
)
CAROLYN MURPHY ST. PIERRE)

CRIMINAL NO.: CR. 85-249-T

VIOLATION: 18 U.S.C. § 656

EMBEZZLEMENT BY BANK EMPLOYEE

INDICTMENT

The Grand Jury charges:

From on or about March 1, 1985 to on or about June 5, 1985, in Newton, in the District of Massachusetts,

CAROLYN MURPHY ST. PIERRE

an employee of the Mutual Bank for Savings, the deposits of which are

insured by the Federal Deposit Insurance Corporation, did knowingly and willfully embezzle, abstract, purloin and willfully misapply money of said bank in the amount of **$101,830.56,** more or less, by forging counter-drafts and falsely withdrawing funds through automatic teller machines, with intent to defraud and deprive the bank by converting the said money to her own use;

All in violation of Title 18 United States Code, Section 656.

I HEREBY ATTEST AND CERTIFY ON 6-3-86 THAT THE FOREGOING DOCUMENT IS A FULL TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE AND IN MY LEGAL CUSTODY.

GEORGE F. McGRATH

CLERK, U.S. DISTRICT COURT

DISTRICT OF MASSACHUSETTS

BY:_____

Signed by: Deborah Scalfani.

A TRUE BILL

_____

Foreman of the Grand Jury

_____

Assistant United States Attorney

DISTRICT OF MASSACHUSETTS: June 27, 1985 @ 12:10 PM

Returned into the District Court by the Grand Jurors and filed.

_____

Deputy Clerk

Signed by: Regina E. Lucas, Foreman of the Grand Jury, Pro-tempone.

Signed by: Maryann Valentino, Deputy Clerk.

Signed by: Susan R. Via, Assistant United States Attorney.

COURTRAN

DOCKETED

I HEREBY ATTEST AND CERTIFY ON 6-3-86 THAT THE FOREGOING DOCUMENT IS A FULL TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE AND IN MY LEGAL CUSTODY.

GEORGE F. McGRATH

CLERK, U.S. DISTRICT COURT

DISTRICT OF MASSACHUSETTS

BY: _____

SIGNED BY: Deborah Scalfani.

COMMONWEALTH OF MASSACHUSETTS

TRIAL COURT OF THE COMMONWEALTH

BOSTON MUNICIPAL COURT DEPARTMENT

CIVIL BUSINESS DIVISION

Suffolk, ss. Civil No. T-37953

Frank Camoscio
.....
Plaintiff(s)

v.

Richard Hall
.....
Defendant(s)

FINDINGS OF THE COURT

(REMAND)

The above-entitled matter was transferred to the Municipal Court of the City of Boston for trial under the provisions of Chapter 231, Section 102C General Laws (and amendments thereto). The parties have been no-

tified to appear with their witnesses.

1. After hearing, the Court finds for the plaintiff(s) Frank Camoscio ..... and assesses damages in the sum of $ 1500°° .....

   The court finds for the plaintiff Camoscio on the defendants Hall counter claim

2. ~~In the above entitled action, Court finds for the defendant(s)~~.....

3. ~~Both parties having failed to appear, the Court orders the action dismissed.~~

   .....

Entered..September 22,.....19 87.....

.....

Justice

Signed by: Justice, Theodore A. Glynn.

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss. SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT OF THE
COMMONWEALTH

CIVIL ACTION
NO. CA87-1908

FRANK J. CAMOSCIO, Plaintiff(s)

vs.

RICHARD HALL, Defendant(s)

SUMMONS AND RESTRAINING ORDER

To the above-named Defendant :

You are hereby summoned and required to serve upon Frank J. Camoscio, plaintiff whose address is 252 Hanover St., Boston, an answer to the complaint which is herewith served

upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Clerk of this Court at PLYMOUTH either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

WE ALSO NOTIFY YOU that application has been made in said action, as appears in the complaint for a preliminary injunction and that a hearing upon such application will be held at the Court House at said PLYMOUTH in the first session without jury of our said Court on Friday the 6th day of November, A.D., 1987, at 9:30 o'clock A.M., at which you may appear and show cause why such application should not be granted.

In the meantime, until such hearing. WE COMMAND YOU, said defendant, Richard Hall and your agents, attorneys and counsellors, and each and every one of them, to desist and refrain from transferring, selling or otherwise disposing of the property located at 30 Elm Street, Pembroke.

Witness, THOMAS R. MORSE, JR., Esquire, at Plymouth, the ..fourth..... day of ..November....., in the year of our Lord one thousand nine hundred and eighty-seven.

CLERK.

NOTES:

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.

2. When more than one defendant is involved, the names of all defendants should appear in the caption.

If a separate summons is used for each defendant, each should be addressed to the particular defendant.

Signed by: Clerk, Francis R. Powers.

Form 4 . 2M.6.78.RP

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

SUPERIOR COURT
CIVIL ACTION
No. CA87-1908

TO RICHARD HALL, of Pembroke,
County of Plymouth, defendant your,

Agents, Attorneys, and each and every
of them.

, GREETING:

WHEREAS, it has been represented unto
us, in our Superior Court, by
Frank J. Camoscio, of
Boston County of Suffolk

Plaintiff, that the, said Plaintiff, has
exhibited a Complaint in our said Court
against you, the said defendant
Richard Hall

wherein said Plaintiff, among other things, pray for a Preliminary Injunction against you. the said defendant:

Richard Hall

WE THEREFORE, in consideration of the premises, do strictly enjoin and command you, the said Defendant, and all and every the persons before named, to desist and refrain from transfering, selling or otherwise disposing of the property located at 30 Elm Street, Pembroke, Ma.

until the further order of our said Court, or some Justice thereof.

Witness, THOMAS R. MORSE, JR., Esquire, at Plymouth, the thirteenth day of November in the year of our Lord one thousand nine hundred and

eighty-seven.

_____ Clerk.

Signed by: Clerk, Francis R. Powers.